

RECEIVED

OCT 25 2002

TECH CENTER 1600/2900

#9
10-28-02
JLH home



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of :
Francis GILES et al. : Group Art Unit: 1623
Serial No. 09/785,235 : Examiner: P. T. Lewis
Filed: February 20, 2001 :

Title: METHOD FOR THE TREATMENT OR PREVENTION OF *FLAVIVIRUS* INFECTIONS
USING NUCLEOSIDE ANALOGUES

ELECTION

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Election of Species Requirement set forth in the Office Action dated September 24, 2002, Applicants hereby elect species A1, i.e., a method for treating Hepatitis C. In addition, Applicants hereby elect species B2, i.e., wherein group B is a pyrimidine or an analogue thereof.

It is Applicants' understanding that, following this election, examination will proceed in accordance with MPEP §809.02(c). In particular, it is Applicants' understanding upon determination that the elected species is allowable, the examination will be extended to other species and further, upon determination that a generic claim is allowable, Applicants will be advised that the claims drawn to the non-elected species are no longer withdrawn. See, MPEP §809.02(c)(B)(1).

Respectfully submitted,


Brion P. Heaney Reg. No. 32,542
Attorney/Agent for Applicant(s)

MILLEN, WHITE, ZELANO
& BRANIGAN, P.C.
Arlington Courthouse Plaza 1, Suite 1400
2200 Clarendon Boulevard
Arlington, Virginia 22201
Telephone: (703) 243-6333
Facsimile: (703) 243-6410

Attorney Docket No.: PHARMA-115

Date: October 23, 2002